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OFFICE OF FEDERAL
COUNSEL

Jody Young

Wellington, FL 33414

Federal Elections Commission
999 "E" Street N.W.
Washington, D.C. 20463

MUR # 6639

RE: Libertarian Presidential Candidate Gary Johnson

Dear Sir/Madam:

Please find the enclosed complaint to the Federal Elections Commission regarding the Presidential Campaign of Libertarian candidate GARY JOHNSON.

Thank you for your attention and consideration.


Jody Young
Palm Beach County, Florida

FEDERAL ELECTION COMMISSION

2012 SEP -6 PM 3:54

OFFICE OF GENERAL COUNSEL

**BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA**

In the Matter of:

GARY JOHNSON 2012, INC., #C00495622

Respondent

MUR #:

COMPLAINT

Jody Young, an American adult citizen of the State of Florida, files this Complaint with the Federal Election Commission in accordance with the provisions of 2 U.S.C. §437 (g) (a) (1) in the belief that Respondent violated provisions of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §§431, *et seq.* (hereinafter, "The Act").

RESPONDENT

GARY JOHNSON 2012, INC. is the principal campaign committee of Gary Johnson, candidate for President of the United States.

FACTS

On May 2, 2011, Gary E. Johnson filed his Statement of Candidacy with the Commission declaring that he was seeking the Republican nomination for the office of President of the United States. On April 21, 2011, Form 1 was filed by Respondent Gary Johnson 2012, Inc. with the Commission as the principal campaign committee authorized by Mr. Johnson. On January 5, 2012 the Respondent filed an amended Form 1, notifying the Commission that Mr. Johnson was seeking the Libertarian nomination for the office of President of the United States. Also on January 5, 2012, Mr. Johnson amended his Statement of Candidacy to state that he was seeking the Libertarian Party nomination. On May 5, 2012, Mr. Johnson sought and received the nomination of the Libertarian Party for President of the United States.

On June 20, 2012, July 20, 2012 and August 20, 2012 the Respondent filed reports with the Commission as required. None of these reports state in box 3 whether the report is for the primary or the general election. Each of the reports do show contributions attributed to the

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general election, however. However, in the expense section of each report, Schedule B-P, none of the expenditures reported state whether that expense was made for the primary or the general election. Moreover, most of the expenditures violate the Commission's rules by amalgamating expenses for a wide variety of matters under payments made to a single entity, called simply "Political [sic] Advisors" of Salt Lake City. In so doing, the Respondent is hiding the true recipient of the funds expended. Specifically, the improperly reported expenditures from the June 20, 2012 report, all to "Political [sic] Advisors" are as follows:

5/3/2012	\$17,120.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/14/2012	\$27,000.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/18/2012	\$ 5,300.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/18/2012	\$ 9,700.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/21/2012	\$13,000.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/24/2012	\$ 4,000.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/24/2012	\$ 4,000.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/29/2012	\$14,700.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/31/2012	\$91,500.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"
5/31/2012	\$ 2,000.00	"Media Buys, Canidate [sic] Travel, Campaign advisory and management"

These expenditures total \$188,320.00. On this report, the Respondent reported total expenditures of only \$227,802.35, meaning these payments to "Political [sic] Advisors" equated to 82% of the Respondent's total expenditures, as well as 86% of the Respondent's receipts of \$218,634.66 for the same period. Also, the Respondent failed to report any indebtedness on this report to "Political [sic] Advisors".

The improperly reported expenditures from the July 20, 2012 report, all to "Political [sic] Advisors" are as follows:

6/4/2012	\$30,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/8/2012	\$27,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/8/2012	\$ 1,900.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/11/2012	\$ 4,100.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/14/2012	\$15,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/14/2012	\$11,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/18/2012	\$ 3,300.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/21/2012	\$ 6,800.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/25/2012	\$ 650.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/25/2012	\$ 1,100.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/25/2012	\$ 3,400.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
6/28/2012	\$ 9,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"

These expenditures total \$113,250. On this report, the Respondent reported total expenditures of only \$119,617.43, meaning these payments to "Political [sic] Advisors" equates to 95% of the Respondent's total expenditures, as well as 120% of the Respondent's receipts of \$94,104.64 for the same period! Interestingly, the Respondent now reports four *separate* "debts" to "Political Advisors", of \$21,101.42, \$238,831.12, \$34,220.03 and \$9,993.11, all incurred during the month, for a total of \$304,145.68. However, there is no corresponding expenditure for this sum, which is more than three times what the Respondent raised during the period. The nature of each of these debts is stated as "Travel, Media, Advertising and Advisory". However, on one of these, the largest (the one for \$238,831.12) the word "Primary" is added. **The Respondent never**

reported primary expenditures that this indebtedness funded, and never previously reported the debt.

The improperly reported expenditures from the August 20, 2012 report, all to "Political [sic] Advisors" are as follows:

7/2/2012	\$15,500.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/5/2012	\$98,000.00	"Media, Travel and Advisory Services in connection with Primary Election"
7/5/2012	\$ 3,500.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/9/2012	\$ 2,101.42	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/9/2012	\$10,398.58	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/17/2012	\$45,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/25/2012	\$60,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"
7/31/2012	\$50,000.00	"Media Buys, Advertising, Candidate Travel, Advisory Services"

These expenditures total \$284,500. On this report, the Respondent reported total expenditures of \$321,434.69, meaning these payments to "Political [sic] Advisors" equates to 89% of the Respondent's total expenditures, as well as 140% of the Respondent's receipts of \$202,921.89 for the same period! Line 27 states that NO payments to indebtedness were made either this month or this entire cycle. On line 19, the amount of indebtedness is reported as "0.00" on both the columns for the current reporting period, AND the cycle-to-date!

All told, these improperly-reported expenditures to "Political [sic] Advisors" total \$586,070 for the three-month period. The Respondent's total expenditures in this period were reported as \$668,854.47, meaning these expenditures accounted for 88% of the total expenditures for the three months, and 130% of the Respondent's total receipts for the three months of \$515,661.19!

For the foregoing reasons, the Respondent is in violation of 2 U.S.C. §434(b), and has failed to disclose the true recipients, purposes and election period (primary vs. general) of its expenditures and indebtedness.

I hereby declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed at Wellington, FL on September 5, 2012.

[Signature]

Subscribed and sworn before me this 5 ^{Sept}th day of August 2012:

State of Florida, County of Palm Beach

My Commission Expires: Aug 19 2015

[Signature]
NOTARY PUBLIC

